

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
November 20, 2007**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.
2. Roll Call.

**PRESENT: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright,
Martinez R. Valadez, Gray**

ABSENT: Westheimer

3. Director's Report.
4. Approval of November 6, 2007 Minutes.

1:00 PM – Public Hearing

CONSENT ZONING

Commissioner Gadberry made a motion to approve the following rezoning cases being that staff recommendations were for approval. Additionally, no citizens had signed to speak on said cases: item 13, 14, 16, 17, 19, 20, and 21. The motion was seconded by Commissioner Robbins.

5. ZONING CASE NUMBER Z2008015 (Council District 1): The request of Mears Homes, Inc., Applicant, for Monroe and Virginia Bethke, Owner(s), for a change in zoning from "C-2" H Commercial Historic District to "R-4" H IDZ Residential Single Family Historic District Infill Development Zone on 0.111 acres out of NCB 719, 716 South Presa Street. Staff recommends approval.

This case was approved by consent.

Staff stated there were 36 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Lavaca Neighborhood Association is in favor. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008016 (Council District 1): The request of Brownstone Traditions SA, Ltd., Applicant, for Peter Rosen, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "IDZ" Infill Development Zone with uses permitted in "MF-33" Multi-Family District on Lot 11, Block 2, NCB 1739, 421 Paschal. Staff recommends approval.

This case was approved by consent.

Staff stated there were 29 notices mailed out to the surrounding property owners, 1 returned in opposition and 9 returned in favor and Tobin Hill Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray****NAY: None**

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2008021 (Council District 4): The request of Richard R. Whitcher, Jr. and Chie O Rev L/TR, Applicant, for Richard R. Whitcher, Jr. and Chie O Rev L/TR, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MH" Manufactured Housing District on Lot 1, Lot 2, Lot 3 and west 30 feet of Lot 4, Block 001, NCB 15629, 5127 Sherry Street. Staff recommends approval.

This case was approved by consent.

The following citizen(s) appeared to speak:

Raymond Garcia, representative, proposing a manufactured home on the subject property.

Staff stated there were 37 notices mailed out to the surrounding property owners, 3 returned in opposition and 6 returned in favor and Southwest Community Association is in favor. Staff mailed 34 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2008023 (Council District 5): The request of Starboard Investments, Ltd., Applicant, for Buna W. McKinnon, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-1" Light Commercial District on Lot 1, Lot 2, Lot 3 and Lot 4, NCB 6937, 3116 Nogalitos Street. Staff recommends approval.

This case was approved by consent.

Staff stated there were 37 notices mailed out to the surrounding property owners, 2 returned in opposition and 6 returned in favor and Palm Heights Neighborhood Association is in favor. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2008009 S (Council District 5): The request of Bexar County (Center for Health Care Services), Applicant, for Bexar County (Center for Health Care Services), Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3NA" S General Commercial District, Nonalcoholic Sales with a Specific Use Permit for a Human Services Campus on Lot 17, Block 40, NCB 251, 601 North Frio Street. Staff recommends approval.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2008011 (Council District 2): The request of Alamo City Christian Fellowship Church, Applicant, for Alamo City Baptist Church, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on 0.3887 acres out of NCB 16817, 6500 IH 35 North. Staff recommends approval.

This case was approved by consent.

Staff stated there were 5 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Park Village Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2008013 (Council District 8): The request of J and M Investments Group, LLC, Applicant, for Vantage Way San Antonio, LP, Owner(s), for a change in zoning from "I-1" General Industrial District and "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3" General Commercial District on Lot 2, Block 2, NCB 17443, 11500 IH 10 West. Staff recommends approval.

This case was approved by consent.

Staff stated there were 9 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION

12. ZONING CASE NUMBER Z2008010 S ERZD (Council District 9): The request of City of San Antonio, Applicant, for 281/150 Stone Oak Developers, Ltd., Owner(s), for a change in zoning from property located outside city limits to "C-3" S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Transit Park and Ride on 19.982 acres out of CB 4900 and CB 4924, 23445 US Highway 281. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Bill Kaufman, representing proposing property owner, proposing commercial development.

David Wolff, spoke in opposition.

Terry Davis, spoke in opposition.

Mark Johnson, spoke in opposition.

Webster Wilcox, spoke in opposition.

Greg Snow, spoke in opposition.

Elyzabeth Earnley, spoke in opposition.

Pat Byrum, spoke in opposition.

Staff stated there were 25 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and no response from Stone Oak Property Owner's Association.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2007278 (Council District 10): The request of Kaufman and Associates, Inc., Applicant, for Bhakta, Karsan and Bhakta, Jashuben / Bentwood Apartments, LLC / See, Sian-Tock, Owner(s), for a change in zoning from "C-2" Commercial District to "MF-50" Multi-Family District on Lot 9, the south 293.32 feet of Lot 11, Lot 12, Lot 13, the west 22 feet of Lot 14, and Lot 21, NCB 8692, 1107, 1111 and 1125 Austin Highway. Staff recommends approval pending Plan Amendment.

Bill Kaufman, representative, proposing a multi-family residential community.

Paul Buchanan, developer, stated they are proposing upscale multi family development.

The following citizen(s) appeared to speak:

Ryan Pape, spoke in favor.

Will McCullough, spoke in favor.

McIllicz Sykes, spoke in opposition.

Leslie Provence, spoke in opposition.

Jeff Cox, spoke in opposition.

Judith Verbits-Temple, spoke in opposition.

Neil Smith, spoke in opposition.

Judy Wells, spoke in opposition.

Steve Temple, spoke in opposition.

Parker Scott, spoke in opposition.

Walter Brown, spoke in opposition.

Rohn Bayes, spoke in opposition.

Staff stated there were 48 notices mailed out to the surrounding property owners, 3 returned in opposition and 14 returned in favor and Terrell Heights Neighborhood Association is in opposition and no response from Wilshire Village Neighborhood Association. Staff mailed 60 notices to the Planning Team. Staff also received 160 letters.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner Gadberry to find inconsistent with the neighborhood plan.

(A verbal vote was taken)

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner Gray to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2007315 (Council District 10): The request of Musselman Interests, Ltd, Applicant, for Musselman Interests, Ltd, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3NA" General Commercial District, Nonalcoholic Sales on P-8D, NCB 17757, 15621 O'Connor Road. Staff recommends denial as requested and approval of "C-2" Commercial District.

Andy Guerrero, representative, stated he would like to amend his request to "C-2NA" C with a Conditional use for flexible office warehouse. He stated they are proposing office and commercial uses.

Staff stated there were 26 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner Wright to recommend approval of "C-2NA" C with Conditional Use for flexible office warehouse.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2007312 CD (Council District 4): The request of R. Carlile Roberts, Applicant, for R. Carlile Roberts, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2" (CD-Mini-Storage Facility) Commercial District with a Conditional Use for a Mini-Storage Facility exceeding 2.5 acres on 4.1933 acres out of Block 2, NCB 15972, 5930 Old Pearsall Road. Staff recommends approval.

Andy Guerrero, representative, proposing a mini storage facility.

The following citizen(s) appeared to speak:

Jeff Roberts, developer, spoke in favor.

Carol Abitz, spoke in opposition.

Staff stated there were 66 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and Southwest Community Association/Hidden Cove – Indian Creek Neighborhood Association are in opposition. Staff mailed 34 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner Robbins to recommend a continuance until January 15, 2008.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2007316 (Council District 8): The request of Kaufman and Associates, Inc., Applicant, for Brad Galo, Owner(s), for a change in zoning from "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1 on 23.51 acres out of NCB 18333, 20865 IH-10 West. Staff recommends denial.

Lucy Peveto, representative, requesting a continuance until December 4, 2007.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 7 returned in favor and no response from Friends of Friedrich Wilderness Park.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until December 4, 2007.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2008019 CD (Council District 3): The request of Udell and Aida Spivey, Applicant, for Udell and Aida Spivey, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "R-4" (CD-Two Family Dwelling) Residential Single Family District with a Conditional Use for a Two Family Dwelling on Lot 15, Block 8, NCB 6641, 1231 Avant Avenue. Staff recommends approval.

Dennette Floyd, representative, proposing to develop a duplex.

Staff stated there were 32 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and no response from Highland Park and Sunny Slope Neighborhood Associations. Staff mailed 62 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: J. Valadez

THE MOTION CARRIED

18. ZONING CASE NUMBER Z2008024 (Council District 7): The request of Kaufman & Associates, Inc., Applicant, for Brass Centerview Holdings, LLC, Owner(s), for a change in zoning from "O-2" Office District, "C-1" Light Commercial District and "C-2" Commercial District to "C-3" General Commercial District on 5.286 acres out of NCB 14277, 10.55 acres out of NCB 14274, and 1.582 acres out of NCB 14275, approximate 4400 - 4600 Block of Centerview Road. Staff recommends approval.

Lucy Peveto, representative, proposing commercial development.

The following citizen(s) appeared to speak:

Tina Briones, spoke in opposition.

Commissioner Hawkins left at 4:28 pm.

Robert Gonzales, spoke in opposition.

Rebecca Perez Clark, spoke in opposition.

Richard Gamez, spoke in opposition.

Staff stated there were 50 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Gadberry to recommend a continuance until December 18, 2007.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

19. Amendments to the Unified Development Code to add a Form Based Development Use Pattern and a Form Based Zoning District.

Nina Nixon-Mendez, Planning Manager, presented the Form Based Development Use Pattern and Form Based Zoning District Amendments to Zoning Commission.

The following citizen(s) appeared to speak:

Ken Brown, spoke in favor.

Scott Polikov, spoke in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright to amend the UDC, Unified Development Code, article 2 use patterns to add Form Base Development as a use pattern, which would be Article 2, Section 209 that is as an option and also as an option to amend the UDC Article 3 Zoning at FBZD Special District Article 3, Section 357 as a Development Zoning District option and to also suggest and recommend that this move forward before the City South Area only and that we move forward with the public process for the City including going back to TAC, Technical Advisory Committee, and some additional public process provisions and hearings throughout the City so that they can adopt this plan from a City wide prospective in the near future. The motion was seconded by Commissioner Gadberry.

AYES: Robbins, Gadberry, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: Sherrill, J. Valadez

THE MOTION CARRIED

20. ZONING CASE NUMBER Z2008008 (Council District 3): The request of Brown, PC, Applicant, for Verano Land Group, LP, Owner(s), for a change in zoning from "MI-1" Mixed Light Industrial District and "UD" Urban Development District to "UD" Urban Development District or "FBZD" Form Based Zoning District on 1056.737 acres out of CB 4005, CB 4283, CB 4284, CB 4285, CB 4286, NCB 16456, NCB 16458, NCB 18087 and NCB 18088, 700-1900 Block of Southwest Loop 410, 11000-12000 Block of Pleasanton Road and 10000-11000 Block of South Zarzamora. Staff recommends approval pending plan amendment.

Ken Brown, representative, stated he would like to amend his request to "FBZD". He stated they are proposing mixed use development.

The following citizen(s) appeared to speak:

Scott Polikov, spoke in favor.

Staff stated there were 102 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor.

FINDING OF CONSISTENCY OF THE MASTER PLAN**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to find inconsistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Myers to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, Wright, Martinez, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

Commissioner Martinez and Commissioner R. Valadez left at 5:52 pm.

21. Public hearing and consideration of eight (8) amendments to the Unified Development Code.

Bill Telford, Planning Manager, presented eight amendments to the Unified Development Code to Zoning Commission.

COMMISSION ACTION

The motion was made by Commissioner Wright to approve the UDC Amendments Chapter 35 as proposed, Amendments 1, 2, 3, 4, 5, 6, 7 and 8 with the amendment to numbers 2 and 4 as presented by Planning. The motion was seconded by Commissioner Gadberry.

AYES: J. Valadez, Gadberry, Myers, Wright, Gray

NAYS: Sherrill, Robbins

THE MOTION FAILED

COMMISSION ACTION

The motion was made by Commissioner Wright to approve all amendments as presented with the exception of the fence amendment to be brought back to the next Zoning Commission Meeting. The motion was seconded by Commissioner Gadberry.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, Wright, Gray

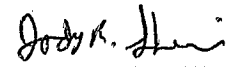
NAYS: None

THE MOTION CARRIED

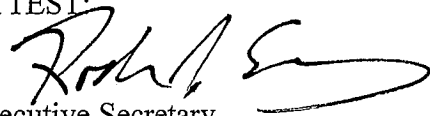
22. **ADJOURNMENT.**

There being no further business, the meeting was adjourned at 6:15 p.m.

APPROVED:


Jody R. Sherrill, Chair

ATTEST:


Executive Secretary